



CASE 4-30443B

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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November 5, 2002

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1644

FARRIES ET AL.

RECEIVED

APPLICATION NO: 09/875,519

NOV 08 2002

FILED: JUNE 6, 2001

TECH CENTER 1600/2900

FOR: DOWN-REGULATED RESISTANT C3 CONVERTASE

Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The Examiner has issued a restriction requirement, dividing the claims of the case into an eight-way restriction:

|      |    |
|------|----|
| I    | 1  |
| II   | 37 |
| III  | 51 |
| IV   | 52 |
| V    | 53 |
| VI   | 54 |
| VII  | 55 |
| VIII | 56 |

Election is made to the subject matter of Group VII, claim 55, to a DNA construct.

The prior art from the parent application USSN 09/142,334, now US Patent 6,268,485 is requested to be made of record in this case. A 1449 listing of the art is attached to this paper. None of the references are attached, as they are available in the file of the parent application. Examination on the merits is respectfully requested.

An appropriate extension of time request for one (1) month, until November 10, 2002, is included in this paper.

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**PETITION FOR EXTENSION OF TIME**

The Office Action of September 10 2002 had a shortened statutory time set to expire on October 10, 2002. A one-month extension, until November 10, 2002 is hereby requested pursuant to 37 CFR §1.136(a).

Please charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the amount of \$110 for payment of the extension fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis

Respectfully submitted,

  
Hesna J. Pfeiffer  
Attorney for Applicant  
Reg. No. 22,640

Novartis Corporation  
Patent and Trademark Dept.  
564 Morris Avenue  
Summit, NJ 07901-1027  
(908) 522-6940

Date: November 5, 2002